



**IOWA COUNCIL
FOR
Early ACCESS
BYLAWS**

Approved November 18, 2005

ARTICLE I

Name

Section 1. Name

The name of the organization shall be the Iowa Council for Early ACCESS (ICEA).

Section 2. Authority

The Iowa Council for Early ACCESS exists by the Executive Order of the Governor of the State of Iowa by the authority of Individuals with Disabilities Education Act (IDEA), Part C, The Infant and Toddler Program as stated in subpart G, 303.600. The Council will abide by all IDEA regulations.

Early ACCESS is the name for the IDEA Part C system in Iowa. It is a system of early intervention services for infants and toddlers with a condition that is known to have a high probability of later delays or a developmental delay, and for their families. The Governor of Iowa designated the Department of Education as the “lead agency,” ultimately responsible for all aspects of the system. The signatory agencies shall hold responsibility for the system as specified in the Interagency Agreement with the Department of Education. The signatory agencies shall be the Department of Human Services, the Department of Public Health, and Child Health Specialty Clinics.

ARTICLE II

Purpose

Section 1. Purpose

The purpose of the Iowa Council for Early ACCESS (ICEA) is to advise and assist the lead agency ***working collaboratively with partnering agencies in the coordination, development and implementation of the policies that constitute the statewide system of early intervention services. Partnering agencies include the signatory agencies, and all public/private providers/agencies who work together in identifying, providing and coordinating services and resources to infants and toddlers and their families.***

Words in “regular print” are from IDEA regulations that govern our state interagency council. Words in “*italics*” are Iowa’s Bylaw language, enhancing the Council’s functioning beyond federal guidance.

Section 2. Functions

Functions of the Iowa Council for Early ACCESS shall include:

1. Advise and assist the lead and partnering agencies in the development and implementation of the policies that constitute a statewide system;
2. Assist the lead agency in achieving the full participation, coordination, and cooperation of all appropriate public and *private* agencies in the state;
3. Assist the lead and signatory agencies in the effective implementation of the statewide system by establishing a process that includes 1) seeking information from service providers, service coordinators, parents, and others about any federal, state or local policies that impede timely service delivery and 2) taking steps to ensure that any policy problems identified under paragraph (a) (3) (I) [CFR 303.650] are resolved;
4. To the extent appropriate, assist the lead agency in the resolution of disputes;
5. May advise and assist the lead and signatory agencies regarding the provision of appropriate services for children aged birth to five inclusive;
6. May advise appropriate agencies in Iowa with respect to the integration of services for infants and toddlers with disabilities and at-risk infants and toddlers and their families regardless of whether at-risk infants and toddlers are eligible for early intervention services in Iowa;
7. Advise and assist the lead and signatory agencies in the identification of sources of fiscal and other support for services for early intervention programs under this part;
8. Advise and assist the lead and signatory agencies in the assignment of financial responsibility to the appropriate agency;
9. Advise and assist the lead and signatory agencies in the promotion of the interagency agreements under CFR 303.523;
10. Advise and assist the lead and signatory agencies in the preparation of Part C applications and amendments to those applications;
11. Advise and assist the state educational agency regarding the transition of toddlers with disabilities to services provided under Part B of the Act, to preschool and other appropriate services;
12. Prepare an annual report to the Governor and to the Secretary on the status of early intervention *services* operated within the state for children eligible under Part C and their families and submit it to the **Governor and** the Secretary of the U.S. Department of Education by the date the Secretary establishes. Each annual report shall contain the information required by the Secretary for the year for which the report is made in accordance with federal guidelines.

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ARTICLE III

Members

Section 1. Membership

The membership of the Iowa Council for Early ACCESS shall consist of representatives of the public and private sector who by virtue of their position, interest, and training can contribute to the quality of services provided to infants and toddlers with special needs and their families.

There shall be at least 15, but not more than 30 members. Composition of the Council shall be as follows:

1. A) PARENTS-Not less than 20 percent of the members shall be parents (*), including minority parents, of infants or toddlers with disabilities or children with disabilities aged 12 or younger, with knowledge of, or experience with programs for infants and toddlers with disabilities. At least one member must be a parent of an infant, toddler, or child with a disability aged six or younger;

(*) Parent means a natural or adoptive parent of a child; a guardian; a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare); or a surrogate parent who has been assigned.
2. SERVICE PROVIDERS- Not less than 20 percent of the members shall be public or private providers of early intervention services - *at least one of whom is an administrative representative of a grantee;*
3. STATE LEGISLATURE- Not less than one representative shall be from the state legislature;
4. PERSONNEL PREPARATION - Not less than one person shall be involved in personnel preparation;
5. AGENCY FOR EARLY INTERVENTION SERVICES - Not less than one member shall be from each of the state agencies involved in the provisions of, or payment for, early intervention services to infants and toddlers with disabilities and their families and have sufficient authority to engage in policy planning and implementation on behalf of these agencies (Child Health Specialty Clinics, Departments of Education, Human Services and Public Health);
6. AGENCY FOR PRESCHOOL SERVICES - Not less than one member shall be from the state educational agency responsible for preschool services to children with disabilities and have sufficient authority to engage in policy planning and implementation on behalf of that agency (Department of Education);
7. STATE MEDICAID AGENCY- Not less than 1 member shall be from the agency responsible for the State medicaid program.

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8. HEAD START AGENCY - Not less than one member shall be from a Head Start ***or Early Head Start*** agency or program in the state;
9. CHILD CARE AGENCY- Not less than 1 member shall be from a state agency responsible for child care (Department of Human Services);
10. AGENCY FOR HEALTH INSURANCE- Not less than 1 member shall be from the agency responsible for the State regulation of health insurance.
11. OFFICE OF THE COORDINATOR OF EDUCATION OF HOMELESS CHILDREN AND YOUTH- Not less than 1 member shall be a representative designated by the Office of Coordinator for Education of Homeless Children and Youths.
12. STATE FOSTER CARE REPRESENTATIVE- Not less than 1 member shall be a representative from the State child welfare agency responsible for foster care.
13. MENTAL HEALTH AGENCY- Not less than 1 member shall be a representative from the State agency responsible for children's mental health.

14The council may include other members selected by the Governor, including a representative from the Bureau of Indian Affairs (BIA) or, where there is no school operated or funded by the BIA, from the Indian Health Service or the tribe or tribal council.

Section 2. Appointment

Members of the Iowa Council for Early ACCESS shall be appointed by the Governor. The Governor shall ensure that the membership of the Council reasonably represents the population of the state. ***According to state law, the Council is to be gender and politically balanced as well as geographically represented.***

Section 3. Term of Office

Term of office shall be for 3 years, except those appointments made to fill an unexpired term. The three-year term begins on the date of the first scheduled Council meeting after the Governor makes the official appointment.

Appointments shall be staggered terms of office to assure that new appointments do not exceed one third of the membership. Members can be appointed for two consecutive full terms. Representatives from the lead and signatory agencies may serve unlimited consecutive terms.

Section 4. Attendance

Regular attendance is expected. If a member misses three consecutive meetings in a year or attends less than one half of the regularly scheduled meetings of an appointment year, a member of the Membership Committee will contact him/her to discuss the member's

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continuing ability to fulfill the duties of the appointment. The chair of the Council will forward the name to the Governor's Office.

Section 5. Designees

Members unable to attend a Council meeting may appoint a designee to represent them at official Council meetings. Designees can be actively involved in meeting activities, but cannot vote. If expenses of designees are to be reimbursed a staff to the Council must be notified four weeks prior to the meeting in order to submit necessary paperwork.

Section 6. Non-discrimination statement: *It is the policy of the Early ACCESS system not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age or marital status in its programs or employment practices. If you have grievances related to this policy, please contact Chief, Bureau of Administration and School Improvement Services, Grimes State Office Building, Des Moines, IA 50319, (515) 281-5811.*

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ARTICLE IV

Meetings

Section 1. Number of Meetings

The Iowa Council for Early ACCESS shall meet at the call of the Chair, and there shall be at least ***four meetings*** (quarterly) each year. *The meeting shall be open and accessible to the general public. Electronic meetings may be held in accordance with the Iowa Code governing open meetings and in locations where the public has access to the conversation.*

Section 2. Notification of Meeting and Agenda

The State Coordinator for Early ACCESS shall ensure that a written public notice of each meeting is posted at least two weeks prior to each meeting. Notice with tentative agenda and minutes of the previous meeting shall be distributed to Council members two weeks prior to the next meeting.

Interpreters for persons who are deaf and other special accommodations shall be provided at Council meetings for both Council members and participants ***who give advance notice of their needs to staff of the Council.***

ARTICLE V

Executive Committee

Section 1 Members

The elected members of the Iowa Council for Early ACCESS Executive Committee shall be: the council chair (unless designated by the Governor), vice chair, a parent, and one additional member from the council at large.

The council administrative representative from a grantee and the appointed council representative from each of the signatory agencies shall be members of the Executive Committee with full voting privileges.

All officers shall be members in good standing of the ICEA.

The Early ACCESS State Coordinator is an ex-officio member of the Executive Committee without voting privileges.

Section 2 Elections:

Officers are elected annually at the September council meeting, with the exception of the chair. The Governor shall designate a member of the council to serve as chair or require the Council to elect a chair. Officers are nominated by the Nominating Committee and notice of nominees sent to the membership two weeks prior to the

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Council meeting. Special elections shall be held to fill vacant positions on the Executive Committee at the discretion of the Chair.

Section 2. Duties

The Chair shall preside at all meetings and shall exercise general governance over the Council. The Chair shall serve as chair of the Executive Committee of the Council. In the absence of the Chair, the Vice-Chair shall assume that role. The Vice-Chair shall serve on the Executive Committee of the Council.

Section 3. Functions of the Executive Committee include:

- 1. Transact all regular business of the Council during the period between meetings subject to review and change by the Council at its next regular meeting except that such revision and alteration shall not violate the rights of third parties;*
- 2. Receive and filter information regarding the Iowa IDEA Part C system of services and prepare it for Council response;*
- 3. Set the framework, calendar and agenda for the Council;*
- 4. Identify and make recommendations for the appropriate utilization of state resources as well as resources outside the purview of the state;*
- 5. Consider action on the recommendations of the council;*
- 6. Set priorities for development of the Early ACCESS system;*
- 7. Advise and assist the lead and signatory agencies in implementation of the interagency agreement.*

ARTICLE VI
Committees

Section 1. Establishing Committees

The Chair may establish committees or task forces as deemed necessary to carry out tasks designated by the Iowa Council for Early ACCESS. Each committee must consist of at least two Council members and must be chaired by a Council member.

Section 2. Standing Committees

The following are Standing Committees of the Iowa Council for Early ACCESS: By-laws, Membership, Nominating, Parent, and Public Policy.

Section 3. By-laws

Purpose: To formulate rules for adoption by the Council for the government of its members and the regulations of its affairs. By-laws shall be reviewed annually and revised as needed.

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Section 4. Membership Committee

Purpose: To review Council composition, recruit potential members, and make recommendations to fill vacancies as specified in Article III, Section 1 in order to assure compliance with IDEA and the Council's ability to effectively perform its duties; and to contact members who have been unable to fulfill the duties of the appointment as specified in Article III, Section 4. Members recruited to represent the lead and signatory agencies shall be recommended to the membership committee by the respective department director for inclusion in the list of potential members to be forwarded to the Governor. Timelines and activities for this process shall be developed and implemented. The Committee shall present the final recommendations to the Council at the May meeting for approval. The list of potential members is submitted to the Governor's Office by June first.

The Membership Committee shall meet at least on an annual basis and consist of the Vice Chair and two members of the Council, one of whom is a parent.

Section 4 Nominating Committee

Purpose: To submit a slate of officers for the Executive Committee to the Council at least two weeks before the September meeting. The committee shall designate the Chair and the Vice Chair from the slate (unless the Governor has designated a Chair).

Section 4 Parent Committee

Purpose: To coordinate and support the leadership efforts of parents on the council.

Section 5 Public Policy

Purpose: To identify public policy issues of significance to the Early ACCESS system and the children and families it serves and provide a common, consistent message or source of information on those issues. To follow legislative issues before the State Legislature and Congress and assist in communication of policy concerns to the council and to determine a strategy for "real time" response to issues requiring action from members and their constituents.

Section 6. Resources for Committees

The fiscal agency for Early ACCESS (Department of Education) will provide resources to the committees as stipulated in the Part C Application and Budget.

ARTICLE VII**General Provisions and Procedures****Section 1. Parliamentary Procedures**

- 1. A majority of the appointed members constitutes a quorum.*
- 2. A person may be designated to attend a meeting of the Council in the absence of the appointed the member, but only duly appointed Council members have voting privileges.*
- 3. Rules of precedence of motions and other parliamentary procedures not specified herein shall be governed by Robert's Rules of Order.*

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Section 2. Amendments

Bylaws may be amended by two-thirds (2/3) of the appointed members. Proposed changes to the bylaws must be submitted in writing to the membership a minimum of thirty (30) days prior to the vote.

Section 4. Use of Funds by the Council

The Council may use funds appropriated to the Council as stipulated in the Part C Application and Budget to:

1. Conduct hearings and forums;
2. Reimburse members of the Council for reasonable and necessary expenses for attending Council meetings and performing Council duties (including child care for parent representatives);
3. Pay compensation to a member of the Council if the member is not employed or must forfeit wages from other employment when performing official Council business;
4. Hire staff or obtain the services of professional, technical, and clerical personnel as may be necessary to carry out the performance of its functions under IDEA, Part C.
5. Pay for accommodations needed for members and participants (e.g. interpreters, Braille, etc.)

Except as provided in 1-5 above, Council members shall serve without compensation from funds available under IDEA, Part C.

Section 5. Conflict of Interest

CONFLICT OF INTEREST- No member of the council shall cast a vote on any matter that is likely to provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest under State law.

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